

Applicants: Patrick Gane, Matthias Buri and Beat Karth
Appl. No.: 10/532,261
Filed: April 21, 2005
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REMARKS

Claims 1-33 were pending in the subject application. By this amendment, applicants have canceled Claims 1-33 without prejudice or disclaimer to applicants' right to pursue prosecution of these claims later during prosecution of the current application or a later-filed application, and added new Claims 34-83. New Claims 34-83 are supported by the application as filed and by canceled Claims 1-33. Accordingly, new Claims 34-83 do not involve the introduction of new matter, and their entry is respectfully requested.

35 U.S.C. 112, Second Paragraph Rejection

Claims 1-16 and 27-33 were rejected under 35 U.S.C. 112, second paragraph, for the recitation of the term "monomers" of (a)-(e) since these monomers also include polymers. In response, the usage of the term "monomer" in the claims is believed to be correct since the term "monomer" is understood to include polymers when the polymers combine with another substance to form a copolymer. Said in another way, a co-polymer is a polymer derived from two or more monomeric species. Accordingly, it is believed that the wording of the claims is correct.

The Examiner also requested that preferably be removed from section (c). In the new claim set, the terms "preferably" and "such as" have been removed to comply with U.S. practice.

The Examiner also rejected to "use" Claims 13-16, 27-31 and 33. It is noted that use Claims 13-16, 28 and 29 have not been retained in the new claim set, while Claims 27, 30, 31 and 33 have been rewritten as product Claims 46, 47, 48 and 50, respectively. Accordingly, it is believed that this aspect of the rejection should be moot.

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In view of the new claim set and the remarks above, reconsideration and withdrawal of this rejection is respectfully requested.

35 U.S.C. 101

Claims 13-16, 27-31 and 33 were rejected under 35 U.S.C. 101 for reciting a use without setting forth any steps involved in the process. For the reasons discussed above, this rejection should be moot in view of the new claim set.

Supplemental Information Disclosure Statement

Applicants are submitting the present Information Disclosure Statement to supplement the Information Disclosure Statements filed on April 21, 2005 in connection with the subject application. In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the items listed on the attached forms PTO/SB/08A and 08B. This Information Disclosure Statement is being submitted before the mailing of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. The enclosed check covers the \$180.00 fee set forth in 37 C.F.R. §1.17(p).

Additional Claim Fee

At the time of filing, a filing fee was paid to cover thirty-three (33) claims. By this amendment, Claims 1-33 have been canceled and new Claims 34-83 have been added, which corresponds to seventeen (17) new claims, and an additional claims fee of \$850 (17 x \$50). The enclosed check covers the \$850 additional claim fee.

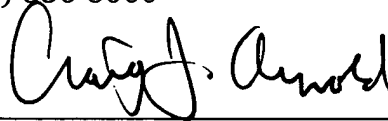
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No fee, other than the \$1050 three extension of time fee, the \$180 IDS fee, and the \$850 additional claim fee, is deemed necessary in connection with the submission of this Amendment. However, if this fee is in any way deficient or if any fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,

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New York, New York

By 
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